

REMARKS

In the Specification, paragraphs [044] and [054] have been amended to correct minor issues.

In amended FIG. 5B, [Document Upload Module 170] was changed to Document Upload Module 175 and [Document Download Module 175] was changed to Document Download Module 170.

Claims 1-9 and 19-24 have been cancelled to advance prosecution of the Application.

Claims 10-18 remain pending in the Application. Thus, nine claims remain pending.

Reconsideration of the application in view of the above-identified amendments and the following remarks is respectfully requested.

Examiner Objections

The Examiner has objected to the formatting of the claims on the basis that “the claims do not correspond to the preferred format...[that] is to number each line of every claim...” Applicants respectfully disagree with the Examiner. The Code of Federal Regulations specifically states:

Other than in a reissue application or reexamination proceeding, the paragraphs of the specification, other than in the claims or abstract, may be numbered at the time the application is filed... (emphasis added) 37 C.F.R. 1.52(b)(6).

As a consequence, Applicants respectfully request that the Examiner provide some support (*e.g.*, in the MPEP or the Code of Federal Regulations) for requiring each

line of each claim to be numbered; otherwise, Applicants respectfully request that this objection be withdrawn.

The Examiner also objected to the Drawings on the basis that “Document Upload Module 170” should be changed to “Document Upload Module 175” and “Document Download Module 175” should be changed to “Document Download Module 170.” In response, Applicants have made the requested changes and respectfully request that the objection be removed.

Moreover, the Examiner objected to the Specification on the basis that the reference numeral “185” on page 22, line 2 is not found in the drawings. In response, paragraph [044] has been replaced with a new paragraph that recites “document download module 170” instead of “document download module 185.” Applicants submit this change addresses the Examiners objection and request that the objection be removed.

In addition, the Examiner has objected to the use of the trademark Java, Java 2 Enterprise Edition (J2EE), Sun Microsystems, Oracle RDBMS among others on pages 25-26. In response, Applicants have replaced paragraph [054] with a new paragraph that includes generic terminology for the identified technologies as well as other language to distinguish the technologies from the exemplary providers of the technologies.

Claim Rejections Under 35 U.S.C. 102(e)

The Examiner has rejected claims 1-3, 5-9 and 19-24 under 35 U.S.C. 102(e) as being unpatentable over U.S. Patent No. 6,167,409 to DeRose et al. (“DeRose”). Applicants have cancelled claims 1-3, 5-9 and 19-24 to expedite prosecution without considering the merits of the Examiners rejection; thus rendering this rejection moot.

Claim Rejections Under 35 U.S.C. 103(a)

The Examiner has rejected claim 4 as being unpatentable over DeRose in view of “Official Notice.” Applicants have cancelled claim 4 to expedite prosecution of the Application without considering the merits of the Examiner’s rejection; thus rendering this rejection moot. Applicants, however, Examiner expressly reserve the right to pursue the subject matter of claim 4 in the future and to demand authority for the Examiner’s Official Notice position if necessary.

The Examiner has also rejected claims 10-18 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,167,409 to DeRose in view of U.S. Patent No. 6,167,409 to Mehra et al. (“Mehra”). Applicants respectfully traverse this rejection. To establish a prima facie case of obviousness, DeRose and Mehra must, at least, suggest all the claim limitations in claims 10-18 and the suggestion must be found in the prior art not Applicants’ Specification.

With respect to independent claim 10, Applicants respectfully submit that DeRose in view of Mehra do not establish a prima facie case of obviousness because, even when combined, the references simply do not disclose or suggest, each and every feature of independent claim 10.

For example, the Examiner contends that Mehra teaches, at page 1, paragraphs 17 and 18, the following four claim elements:

receiving a first document from a first originating party,
wherein the first document is associated with an operational process;
storing the first document in the central repository;

receiving a second document from a second originating party,
 wherein the second document is associated with the operational
 process;
 storing the second document in the central repository;

Applicants respectfully disagree. Applicants have reviewed paragraphs 17 and 18 of Mehra and find that paragraphs 17 and 18 describe two different embodiments of Mehra's invention (*i.e.*, paragraph 17 describes an apparatus and paragraph 18 describes a computer program). As described by Mehra in paragraphs 17 and 18, each of these embodiments includes receiving a communication from another server, translating the content of the communication into a format for processing, using metadata to define properties and behavior of the converted content and processing the translated content using a code path defined by a persistence framework.

Neither paragraph 17 nor paragraph 18 describe, as recited in claim 10, receiving and storing a first document from a first originating party and then receiving and storing a second document from a second originating party wherein both the first and the second documents are associated with the same operational process.

Moreover, the Examiner has not identified any suggestion within either DeRose or Mehra to combine the two references. Instead, the Examiner opines, without citation to any portion of DeRose, Mehra or any other prior art, that the invention of claim 10 is obvious. Applicants respectfully submit that the Examiner's personal view that claim 10 is obvious on the basis that "DeRose and Mehra...both dealing (*sic*) with central storage of information on a server" does not meet the legal requirement under §103(a) that the suggestion must be found in the prior art. Similarly, the Examiner's personal opinion that

Mehra's "business process would improve the functionality for DeRose's system" does not meet the legal requirements under §103(a) that the suggestion must be found in the prior art.

In short, the Examiner has neither identified each of the claimed elements recited in claim 10 nor a suggestion in the prior art to combine DeRose and Mehra. As a consequence, Applicants submit that claim 10 is allowable over the combination of DeRose and Mehra. Moreover, claims 11-18 are also in condition for allowance, at least, by virtue of being dependent from allowable claim 10.


CONCLUSION

In view of the foregoing, Applicants respectfully submit that no further impediments exist to the allowance of this application and, therefore, solicit an indication of allowability. However, the Examiner is requested to call the undersigned if any question or comments arise.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

COOLEY GODWARD LLP
Attention: Patent Group
One Freedom Square - Reston Town Center
11951 Freedom Drive
Reston, Virginia 20190-5601
Tel: (720) 566-4035
Fax: (720) 566-4099

Respectfully submitted,

COOLEY GODWARD LLP

By: _____
Sean R. O'Dowd
Reg. No. 53,403

Amendments to the Drawings:

The attached sheet of drawings includes changes to FIG. 5B. This sheet replaces the original sheet including FIG. 5B. In FIG. 5B, [Document Upload Module 170] was changed to Document Upload Module 175 and [Document Download Module 175] was changed to Document Download Module 170.

Attachment: Replacement Sheet